

**AMENDED
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 15 2003

Returned to applicant for correction _____

Corrected application filed SEP 23 2003

Map filed MAY 20 1985 UNDER 04367

The applicant **Lincoln County Water District and Vidler Water Company**, hereby make application for permission to change the **Place and Manner of Use** of water heretofore appropriated under **Proof of Appropriation 04367** under the Decree for Meadow Valley Wash and Tributaries, dated June 9, 1999

1. The source of water is **Underground (Rox Well)**
2. The amount of water to be changed **0.89 c.f.s., not to exceed 399.07 AFA**
3. The water to be used for **Municipal**
4. The water heretofore permitted for **Railroad & Domestic**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T.12 S., R.65 E., MDM, or at a point from which the Southeast corner of Section 36. T.12 S., R.65 E., MDM, bears South 19°29'03" East, a distance of 14,253.48 feet**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **see Attachment**
8. Existing place of use **Within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T.12 S., R.65 E, MDM**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **As Decreed**
11. Description of proposed works **well, pump, motor and pipelines and other facilities for distribution within the place of use**
12. Estimated cost of works **in excess of \$10,000,000**
13. Estimated time required to construct works **at least 10 years**
14. Estimated time required to complete the application of water to beneficial use **Unknown**
15. Remarks: **See Attached**

By **Bruce R. Scott, Resource Concepts, Inc.**
s/Bruce R. Scott
340 North Minnesota Street
Carson City, Nevada 89703

Compared hmf/cmf lt/gkl

Protested 12/16/03 by Moapa Valley Water District; W/D Protest 5/12/06
12/22/03 by Southern Nevada Water Authority; W/D Protest 4/15/04

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of the waters of an underground source, Rox Well, as heretofore appropriated under Proof V04367, as appears in the Meadow Valley Wash and Tributaries Decree, in the District Court of the Seventh Judicial District of the State of Nevada, in and for the County of Lincoln is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

(Continued on Page 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.89 cubic feet per second, or 399.07 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

August 25, 2007

Proof of completion of work shall be filed on or before:

September 25, 2007

Water must be placed to beneficial use on or before:

August 25, 2016

Proof of the application of water to beneficial use shall be filed on or before:

September 25, 2016

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of August A.D. 2006


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

ATTACHMENT TO APPLICATION TO CHANGE PROOF OF APPROPRIATION 04367

Item 6. Proposed Place of Use

The Proposed Place of Use includes:

Those portions of Township 3 South, Range 59 East and Township 3 South, Range 60 East,
lying within Hydrographic Basin #209 (Pahranagat Valley);

All of Township 3 South, for the area covered by Range 61 East through Range 63 East;

Those portions of Township 4 South, Range 58 East and Township 5 South, Range 58 East,
lying within Hydrographic Basin #209;

All of Township 4 South and Township 5 South, for the area covered by Range 59 East through
Range 71 East;

Those portions of Township 6 South, Range 58 East, Township 6 South, Range 59 East, and
Township 7 South, Range 59 East, lying within Hydrographic Basin #209;

All of Township 6 South and Township 7 South, for the area covered by Range 60 East through
Range 71 East;

Those portions of Township 8 South, Range 59 East and Township 8 South, Range 60 East,
lying within Hydrographic Basin #209;

All of Township 8 South and Township 8½ South, for the area covered by Range 61 East
through Range 71 East;

Those portions of Township 9 South, Range 60 East, and Township 9 South through Township
12 South for the area covered by Range 61 East, lying within Hydrographic Basin #209
and Basin #210 (Coyote Springs Valley);

all of Township 9 South through Township 12 South for the area covered by Range 62 East
through Range 71 East;

All MDM and all lying within Lincoln County, Nevada as shown on the Supporting Map.

STATE ENGINEERS OFFICE

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RECEIVED

ATTACHMENT TO APPLICATION TO CHANGE PROOF OF APPROPRIATION 04367

Item 15. Remarks

Please send copies of all correspondence to Vidler Water Company, 704 West Nye Lane, Suite 201, Carson City, NV 89703. Please use map on file under Proof 04366 to support the existing point of diversion and place of use.

This application is to further the purposes and activities of the Lincoln County Water District as created by the 2003 Legislature under SB336. Utilizing water under this application as well as other existing applications and Permit 66932, the Lincoln County Water District is beginning development for the operation of municipal water facilities in the southeastern portion of Lincoln County. Initial municipal water service activities will include the development and distribution facilities to serve the Toquop power plant, in the area to being privatized through the Lincoln County Land Act and proposed development in Coyote Springs Valley.

Prior to final action by the State Engineer, deeds and a Report of Conveyance will be filed from the decreed owner to the applicants.

STATE ENGINEERS OFFICE

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